

# Exhibit D

1 SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
2 ATLANTIC COUNTY  
MASTER CASE 6341-10  
3 CASE NO. 291 CT

4 - - -

5 IN RE:  
PELVIC MESH/GYNECARE  
6 LITIGATION

7  
- - -

8 CONFIDENTIAL-SUBJECT TO STIPULATION AND ORDER OF  
CONFIDENTIALITY

9  
10 Friday, December 20, 2013  
11 VOLUME III

12 - - -  
13

14 Continued videotaped deposition of JAMES  
15 C. HART, M.D., held at RIKER DANZIG, SCHERER, HYLAND  
16 & PERRETTI, L.L.P., Headquarters Plaza, One Speedwell  
17 Avenue, Morristown, New Jersey, commencing at  
18 approximately 9:54 a.m., before Rosemary Locklear, a  
19 Registered Professional Reporter, Certified Realtime  
20 Reporter, Certified Court Reporter (NJ License No.  
21 30XI00171000), and Notary Public.

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23

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25 deps@golkow.com

1 Q. And the purpose of the IFU is to provide a  
2 surgeon, for example -- well, rephrase.

3 And the purpose of the IFU is to provide a  
4 complete statement of what the company knows with  
5 regard to the indications, the contraindications, the  
6 warnings, the precautions and the adverse reactions  
7 for the device; correct?

8 A. Correct.

9 Q. Therefore, if your company, your medical  
10 affairs people, knew that using a cough test and  
11 local anesthesia would have a material impact on the  
12 efficacy that could be expected with the use of the  
13 TVT, that needed to be warned about in the IFU;  
14 correct?

15 MR. SNELL: Form.

16 Go ahead.

17 THE WITNESS: It -- it needed to be --  
18 that information should be provided as training for  
19 the surgeon and an IFU is a place where it could go,  
20 yeah.

21 MR. SLATER: Move to strike.

22 BY MR. SLATER:

23 Q. The answer to my question is, if what I  
24 just asked you is accurate, that information needs to  
25 be in the IFU; correct?